

106th TN General Assembly

Second Regular Session



Thursday, February 18, 2010

Senate – 58th Legislative Day House – 55th Legislative Day

SENATE

BILLS / RESOLUTIONS

SJR 0796 by *Berke

Memorials, Sports - Coach Don Grider -

SJR 0797 by *Ramsey, Faulk

Memorials, Personal Occasion - Rosella Eugene Dykes Faulk, 80th birthday -

***SJR 0798** by *Gresham

General Assembly, Statement of Intent or Position - Expresses support of a world-class public education system for Tennessee and expectations that teachers, parents, and students must all pursue excellence to achieve that goal. -

SJR 0799 by *Yager

Memorials, Heroism - Rick McMillan -

SJR 0800 by *Kyle, Burks, Henry, Harper, Haynes, Herron, Burchett, McNally, Crowe, Ramsey

Memorials, Death - Senator Anna Belle Clement O'Brien -

SB 3924 by *Ketron (HB 3958 by *Rowland)

Murfreesboro - As introduced, subject to local approval, authorizes the city council to appoint one person to hold the office of city treasurer and the office of city recorder. - Amends Chapter 429 of the Private Acts of 1931; as amended.

SB 3925 by *Finney L (HB 3966 by *Weaver)

School Districts, Special - As introduced, restores optimal staggering of the terms of the board of education of the Milan Special School District so that four members are elected in one year and three members are elected in another. - Amends Chapter 504 of the Private Acts of 1945; as amended.

SB 3926 by *Finney L (HB 3967 by *Weaver)

School Districts, Special - As introduced, increases the tax rate for the Trenton Special School District from \$2.16 to \$2.30. - Amends Chapter 144 of the Private Acts of 1975; as amended.

THIRD CONSIDERATION

Consent Calendar:

SJR 764 – RE-SET to 2/22/10.

Consent Calendar #2:

SB's 2720, 3046 – PASSED 33-0.

SB's 3553, 3578, 3814, 3870 – RE-SET to 2/22/10.

(Senate Third Considerations cont.)

Regular Calendar:

SB 2390 – Amd. #1 ad. – PASSED AS AMENDED 32-0.
SB's 2428, 2431, 2433, 2434, 2436 – RE-REF to Calendar.
SB 2501 – Amds. #1, 2 ad. – PASSED AS AMENDED 32-0.
SB 2949 – RE-REF to Calendar.
SB 3144 – RE-SET to 2/25/10.
SB 3359 – Amd. #3 ad. – PASSED AS AMENDED 33-0.
SB 3407 – Amd. #1 ad. – PASSED AS AMENDED 32-0.
SB 3522 – Amd. #1 ad. – RE-SET to 2/22/10.
SB 3581 – RE-REF to Calendar.
SB 3815 – RE-SET to 2/22/10.
SJR 708 – WITHDRAWN.
SB 2496 – PASSED 23-5.
SB 2617 – s/c HB 2571 – PASSED 23-5.
SB 2731 – PASSED 24-5.
SB 3034 – PASSED 23-5.

COMMITTEE CALENDARS FOR TUESDAY, FEBRUARY 23, 2010

COMMERCE, LABOR & AGRICULTURE – SHR #12 – 1:00 p.m. –

SB's 3213, 3840, 2803, 3494, 3019, 3906, 2847, 2843, 2863. Budget presentations: Economic & Community Development, TRA, commerce & Insurance.

ENVIRONMENT, CONSERVATION & TOURISM – SHR #12 – 10:30 a.m. –

SJR 784, SB's 3872, 2987, 2624, SR 176, SB 3172. Budget Presentation: Environment & Conservation.

FINANCE, WAYS & MEANS – SHR #12 – 8:30 a.m. –

SB's 670, 2408. Budget Presentations: Revenue, Secretary of State, Treasury, Comptroller.

JUDICIARY – SHR #12 – 3:00 p.m. –

SB's 2665, 3130, 1122, 3058, 565, 691, 3394, 3203, 3196, 2915, 2914, 2965, SJR 698, SB's 3754, 3783, 3788, 2392, 2388, 2391, 444, 2341, 2818, 2628, 3030, 2860.

TRANSPORTATION – SHR #12 – 11:30 a.m. –

SB's 3119, 2670, 2761, 3575, 2932, 2649, 3168, 3032, 3028, 1686, 3316, 3379, 3458, 2690, 3871.

Presentation: Mike Huner, Asphalt Paving Industry.

COMMITTEE CALENDARS FOR WEDNESDAY, FEBRUARY 24, 2010

EDUCATION – SHR #12 – 1:00 p.m. –

SB's 2416, 2480, 3583, 3600, 3595, 2819, 3427, 3425. Presentation: Supplemental Education Services in TN.

GENERAL WELFARE, HEALTH & HUMAN RESOURCES – SHR #12 – 3:30 p.m. –

SB's 3478, 3000, 3853, 3846, 3426, 2639, 1788, 2668, 2883, 3869. Budget presentation: Commission on Aging, Human Services.

GOVERNMENT OPERATIONS – SHR #12 – 2:30 p.m. –

SB's 2455, 2458, 2459, 2463, 2464, 2467, 2449, 2443, 2462, 2457, 2440, 2451, 2453, 2445, 2456, 2461.

STATE & LOCAL GOVERNMENT – SHR #12 – 10:00 a.m. –

SB's 2734, 3755, 3774, 3807, 2547, 3415, 3655, 3300, 3329, 3464, 2486, 2573, 2879, 3224, 2760, 2811, 3454, 3131, 3194, 3198, 3204, 3205, 3428, 3824, 3857, 3480, 3548, 3602, 3640, 2658. Budget presentations: General Services, Probation & Parole, Corrections Institute, Correction.

MESSAGE FROM THE GOVERNOR

SJR's 753, 754, 755, 757, 758, 783, 785, 786 – SIGNED 2/12/10.

CALENDARS FOR MONDAY, FEBRUARY 22, 2010

Consent

1. **SJR 0788 by *Barnes**
Memorials, Recognition - Katelin R. Kennedy, Miss Tennessee High School 2010
2. **HJR 0804 by *Halford**
Memorials, Academic Achievement - Kaleb Wolfe, John W. Harris Leadership Award -
3. **HJR 0805 by *Coley, Lollar**
Memorials, Personal Achievement - Anthony Christopher Long, Eagle Scout -
4. **HJR 0808 by *Pitts, Johnson C, Johnson P**
Memorials, Congratulations - Theta-Delta Chapter of Phi Alpha Theta National Honor Society, Austin Peay State University, 2009 Best Chapter of the Year Award, Division III -
5. **HJR 0809 by *Yokley, Naifeh, Hawk**
Memorials, Recognition - Dr. Nathan Ford, Cocke County Education Foundation's Celebrate Our Success Award -
6. **HJR 0810 by *Hawk, Yokley, Shipley**
Memorials, Death - Staff Sergeant Rusty Christian, United States Army -
7. **HJR 0811 by *Ramsey, McCord**
Memorials, Personal Achievement - Jesse Logan Hackworth, Eagle Scout -
8. **HJR 0812 by *Ramsey, McCord**
Memorials, Personal Achievement - Christopher Malenfant, Eagle Scout -
9. **HJR 0814 by *Hensley**
Memorials, Sports - Clint Gobbell, Tennessee Baseball Coaches Association Player of the Year -
10. **HJR 0815 by *Hensley**
Memorials, Sports - Rick Haddock, Tennessee Baseball Coaches Association Hall of Fame -
11. **HJR 0816 by *Hensley**
Memorials, Sports - Greg Burleson, Summertown High School baseball coach -
12. **HJR 0818 by *Sargent, Casada, Johnson P**
Memorials, Recognition - Meeting of the Waters, 200th anniversary -
13. **HJR 0819 by *Casada, Sargent**
Memorials, Academic Achievement - Ryan Steven Redding, Salutatorian, Independence High School -
14. **HJR 0821 by *Hill**
Memorials, Personal Achievement - Johnathan Crockett, Eagle Scout -

Consent #2

1. **SB 0983 by *Berke (*HB 0699 by *Fincher)**
Judges and Chancellors - As introduced, clarifies that a retired judge or a general sessions judge may administer the required oath to support the constitutions to an inferior court judge. - Amends TCA Title 17.
2. ***SB 2576 by *Haynes (HB 2709 by *Turner M)**
Planning, Public - As introduced, extends the requirement that any land use decisions made by a legislative body or planning commission after the adoption of a general regional plan be consistent with the plan to also apply to a board of zoning appeals when such board is exercising its powers on matters other than variances. - Amends TCA Section 13-3-304(b) and Section 13-4-202(b)(2)(B)(iii).
3. ***SB 2577 by *Haynes (HB 2710 by *Turner M)**
Planning, Public - As introduced, changes reference from "regional planning commission" to "municipal planning commission" in regard to which entity's regulations have to have been met in order for the municipal planning secretary to be authorized to approve the subdividing of a tract into no more than two lots, without having to have approval of the entire commission. - Amends TCA Section 13-4-302(a).

(Consent Calendar #2 cont.)

4. *SB 2578 by *Haynes (HB 2711 by *Turner M)

Planning, Public - As introduced, authorizes planning commissions to promulgate provisions in its subdivision regulations, and recommend amendments to the zoning ordinance, for the establishment of review and approval powers for site plans and the establishment under zoning provisions for the review and approval of sustainable design and development of property. - Amends TCA Title 13, Chapter 3, Part 4 and Title 13, Chapter 4, Part 3.

5. SB 2584 by *Black (*HB 2627 by *DeBerry J)

Children's Services, Dept. of - As introduced, specifies that a court's placement recommendation regarding a child in the custody of the department shall be based on a preponderance of the evidence. - Amends TCA Section 37-1-129.

6. SB 2585 by *Black (*HB 2628 by *DeBerry J)

Children - As introduced, requires a court to find that the department of children's services or licensed child placing agency has made reasonable efforts to place a child for adoption and that it is in the best interest of the child before awarding guardianship to a permanent guardian. - Amends TCA Section 36-1-113.

7. SB 2587 by *Black (*HB 2630 by *DeBerry J)

Foster Care - As introduced, makes certain changes regarding permanency plans for foster care, including giving parents the right to attend and participate in foster care permanency plan reviews and changing the suggested membership of foster care review boards. - Amends TCA Title 36, Chapter 1 and Title 37, Chapter 2.

8. *SB 3031 by *Faulk (HB 3100 by *Mumpower, Shipley)

Education - As introduced, allows LEAs greater flexibility in extending the school day in order to offset days used for professional development or weather-related closings. - Amends TCA Section 49-6-3004.

9. SB 3512 by *Yager, Gresham (*HB 3618 by *Cobb J)

Public Contracts - As introduced, entitles private non-profit institutions of higher education chartered in Tennessee to purchase and contract for the purchase of any materials, supplies, equipment, and services through the department of general services to the same extent the state public colleges, universities, and technology centers may do so. - Amends TCA Title 12, Chapter 3, Part 1 and Section 49-7-127.

10. HJR 0749 by *Coleman

Naming and Designating - "Invasive Weed Awareness Week," February 22-27, 2010 -

11. *SJR 0759 by *Kyle, Burks

General Assembly, Confirmation of Appointment - Garry W. McNabb, Tennessee education lottery corporation board of directors. -

12. *SJR 0760 by *Kyle, Overbey

General Assembly, Confirmation of Appointment - James Ripley, Tennessee education lottery corporation board of directors. -

13. SJR 0778 by *Burks

Naming and Designating - "National Crime Victim's Rights Week", April 18-24, 2010 -

Local Bill Consent

1. SB 2381 by *McNally (HB 2415 by *Hackworth, Winningham)

Anderson County - As introduced, subject to local approval, repeals charter provision requiring deeds for the conveyance of land to be presented to county and city tax assessor offices prior to being registered with register's office. -

2. SB 2611 by *Stewart (HB 2487 by *Harmon)

Palmer - As introduced, subject to local approval, amends the charter of Palmer to grant four-year terms of office to the town's mayor and two of the four aldermen receiving the most votes in the 2010 election; thereafter, all four aldermen shall have four-year terms of office. - Amends Chapter 318 of the Private Acts of 1925; as amended by Chapter 129 of the Private Acts of 1986, Chapter 166 of the Private Acts of 1990, Chapter 109 of the Private Acts of 2006, and any other acts amendatory thereto.

(Local Bill Consent cont.)

3. SB 2706 by *Bunch (HB 2741 by *Brooks K, Watson)

Cleveland - As introduced, subject to local approval, amends the charter of Cleveland to clarify that a vacancy shall occur if the mayor or a council member fails to attend three consecutive regular meetings of the city council, and further changes the required 13-day lapse between the first and second reading of an ordinance to a 12-day lapse. - Amends Chapter 78 of the Private Acts of 1993; as amended.

Regular

1. *SB 2530 by *Tracy (HB 2669 by *Carr, Johnson P, Ramsey, Haynes, Hensley, Sargent, McCormick, Matheny, Shipley, Brooks K, Casada)

Lottery, Charitable - As introduced, extends deadline for applications for 2009-2010 annual events from 15 days after May 7, 2009, to five days after this act becomes law; requires secretary of state to submit third omnibus list for 2009-2010 annual events. - Amends TCA Title 3, Chapter 17, Part 1.

2. *SB 2681 by *Ketron, Gresham, Black, Southerland (HB 2799 by *McCormick, Campfield, Carr, Cobb J, Lynn, Yokley, Tindell, Watson, Moore, Lundberg, Evans, Halford, Lollar, Shipley, Shepard, Fraley, Curtiss, Floyd, Naifeh, Eldridge, Hawk, Haynes)

Election Laws - As introduced, allows registrar to email a ballot to each member of the armed forces and each citizen temporarily outside the United States who is entitled to vote and who has submitted a valid application for a ballot. - Amends TCA Title 2, Chapter 6.

3. *SB 3522 by *Overbey, Johnson (HB 3861 by *Coleman, Fincher, McManus, Rich)

Trusts - As introduced, updates the trust laws. - Amends TCA Title 35; Title 45, Chapter 2 and Title 66.

4. SB 3553 by *Ketron, Finney L (*HB 3453 by *Todd, Jones S, Jones U)

Alcoholic Beverages - As introduced, adds Pates Ford Marina in DeKalb County to those facilities authorized to sell alcoholic beverages for on-premises consumption as a premier type tourist resort. - Amends TCA Section 57-4-102(24).

5. SB 3578 by *Ketron (*HB 3006 by *Marsh)

Alcoholic Offenses - As introduced, allows Walking Horse Hotel in Bedford County to sell alcoholic beverages for consumption on premises. - Amends TCA Section 57-4-102.

6. SB 3814 by *Johnson (*HB 3644 by *Sargent)

Business Organizations - As introduced, authorizes anyone to apply to the secretary of state to furnish a certificate of existence for a domestic LLC, LLP, or LP or a certificate of authorization for a foreign LLC, LLP, or LP. - Amends TCA Title 48 and Title 61.

7. SB 3815 by *Johnson (*HB 3645 by *Sargent)

Business Organizations - As introduced, creates an additional exception to the general rule that the name of a corporation or limited partnership (LP) must be distinguishable upon the records of the secretary of state from the name of another business organization authorized to do business in this state. - Amends TCA Title 48 and Title 61.

8. *SB 3870 by *Kyle, Henry (HB 3804 by *Winningham, Turner M, Hardaway)

Human Services, Dept. of - As introduced, authorizes the commissioner to adjust any eligibility criteria, by emergency rule, for any block grant or other federal or department program to permit immediate response to federal funding changes in such programs in order to maximize the availability of service to eligible persons. - Amends TCA Section 71-1-105.

9. SJR 0764 by *Gresham, Henry, McNally, Herron, Overbey, Berke, Marrero B, Burchett, Harper, Ford, O.

Memorials, Death - Lt. Governor John S. Wilder -

10. *HJR 0369 by *Bell, Curtiss, Bass, Harmon, DeBerry J, Bone, Casada, Weaver, Dunn, Floyd, Shipley,

Memorials, Congress - Urges United States Senate to reject ratification of United Nations Convention on the Rights of the Child. -

SENATE CONVENES AT 5:00 P.M., MONDAY, FEBRUARY 22, 2010

HOUSE

BILLS / RESOLUTIONS

HB's 3949 – 3959 were introduced and passed on first consideration.

Received from Senate, held on House desk – SB's 2411, 2446, 2448, 2450, 2452, 2454, 2551, 2570, 2836, 2898, 2933, 2967, 3045, 3057, 3295, 3435, 3498, 3713.

- HR 0243 by *Hawk**
Memorials, Death - Robert Sams -
- HR 0244 by *Bass, Todd, Rich, Watson, Dean, Brooks H, Faulkner, Matheny**
Memorials, Retirement - William "Doc" Oliver -
- HR 0245 by *Hackworth**
Memorials, Personal Occasion - James and Peggy Hackworth, 60th wedding anniversary -
- HR 0246 by *Harmon**
Memorials, Sports - 2010 TSSAA Hall of Fame inductees -
- HR 0247 by *Haynes**
Memorials, Recognition - Stavroula Christopoulos, 2010 Prudential Spirit of Community Award -
- HR 0248 by *Barker, Fitzhugh**
Memorials, Recognition - Dyer County Fair, Champion of Champions -
- HR 0249 by *Matlock**
Memorials, Recognition - Kenneth and Estelle Ward -
- HR 0250 by *Gilmore**
Memorials, Death - Carol Enoch Jones -
- HR 0251 by *Harrison**
Memorials, Death - Joseph T. Walker, Jr. -
- HJR 0811 by *Ramsey, McCord**
Memorials, Personal Achievement - Jesse Logan Hackworth, Eagle Scout -
- HJR 0812 by *Ramsey, McCord**
Memorials, Personal Achievement - Christopher Malenfant, Eagle Scout -
- *HJR 0813 by *Hardaway, Dean, Harmon**
General Assembly, Directed Studies - Directs the department of safety to study the use of certified mail notification relative to the suspension and revocation of driver licenses. -
- HJR 0814 by *Hensley**
Memorials, Sports - Clint Gobbell, Tennessee Baseball Coaches Association Player of the Year -
- HJR 0815 by *Hensley**
Memorials, Sports - Rick Haddock, Tennessee Baseball Coaches Association Hall of Fame -
- HJR 0816 by *Hensley**
Memorials, Sports - Greg Burleson, Summertown High School baseball coach -
- HJR 0817 by *Shaw**
State Symbols - Adopts "So I'll Just Shine in Tennessee" ("I'm a [any town], Tennessee Nugget") as an official state song. -
- HJR 0818 by *Sargent, Casada, Johnson P**
Memorials, Recognition - Meeting of the Waters, 200th anniversary -
- HJR 0819 by *Casada, Sargent**
Memorials, Academic Achievement - Ryan Steven Redding, Salutatorian, Independence High School -
- *HJR 0820 by *Faulkner**
General Assembly, Statement of Intent or Position - Requests approval from Tennessee Valley Authority for construction of Campbell County Lighthouse Lodge and Convention Center. -
- HJR 0821 by *Hill**
Memorials, Personal Achievement - Johnathan Crockett, Eagle Scout -
- HJR 0822 by *Bell, Hill**
Memorials, Personal Occasion - Lula Mae Bell Tillman, 105th birthday -

(Resolutions cont.)

HJR 0823 by *Gilmore

Naming and Designating - "America Saves Week," February 21-28, 2010 -

HJR 0824 by *Gilmore

Memorials, Recognition - Zackery Lystedt Brain Project -

HJR 0825 by *Cobb J

Memorials, Professional Achievement - Ryan Newell, Eagle Scout -

HJR 0826 by *Armstrong

Memorials, Personal Occasion - Sarah Moore Greene, 100th birthday -

HJR 0827 by *Tidwell

Memorials, Death - Jaycee Rawlings -

HJR 0828 by *Fincher

Memorials, Death - Billy Joe "Red" Lamb -

HJR 0829 by *Williams, Litz

Memorials, Professional Achievement - Larry Crumley, 2010 Farm Expo Farmer of the Year -

HJR 0830 by *Cobb T

Memorials, Recognition - J. B. Napier, Napier Farm, Century Farm -

HJR 0831 by *Sargent, Casada, Johnson P

Memorials, Recognition - Meredith Medlin, 2010 Prudential Spirit of Community Award -

***HJR 0832 by *Turner M**

General Assembly, Confirmation of Appointment - John Ross, State Forestry Commission. -

***HJR 0833 by *Turner M**

General Assembly, Confirmation of Appointment - James W. Reeves, State Forestry Commission. -

***HJR 0834 by *Turner M**

General Assembly, Confirmation of Appointment - Paul Trianosky, State Forestry Commission. -

HJR 0835 by *West

Memorials, Recognition - Robert J. Morgan -

HJR 0836 by *Cobb T

Memorials, Death - Cpl. Jeremy McLaren -

HJR 0837 by *Cobb T

Memorials, Heroism - Dodie Kellum -

HJR 0838 by *Cobb T, Naifeh, DeBerry L, Curtiss

Memorials, Recognition - J. B. Napier, Napier Farm, Century Farm -

HJR 0839 by *Maggart, Lynn, McDonald

Memorials, Personal Occasion - L.H. "Dink" Newman, 90th birthday -

HJR 0840 by *Moore

Memorials, Recognition - Savannah Claire Taylor -

HJR 0841 by *Todd, DeBerry J, Miller L, Jones U, McManus, Coley, Camper, Richardson, Turner J, White,

DeBerry L, Lollar, Kernell, Hardaway

Memorials, Death - Representative Joe Kent -

HJR 0842 by *Bone

Naming and Designating - "FFA Week," February 20-27, 2010 -

HJR 0843 by *Turner M

Memorials, Death - Don Spain -

HJR 0844 by *Coley, Bass, Harwell, DeBerry J, Towns, Jones U, White, Miller L, Fraley, Lollar, McDonald, Cobb

T, Curtiss, McManus, Fincher

Memorials, Recognition - Michael McDonald -

HJR 0845 by *Fraley

Memorials, Death - James Bedford -

HJR 0846 by *Litz

Memorials, Recognition - Neenah Ann Williams -

HJR 0847 by *Litz

Memorials, Academic Achievement - Mattie Bryant, Hamblen County Spelling Bee Champion -

HJR 0848 by *Halford

Memorials, Personal Occasion - Opal Dameron, 100th birthday -

(Resolutions cont.)

HJR 0849 by *Curtiss

Memorials, Recognition - Lumbermens Merchandising Corporation, 75th anniversary -

***HJR 0850** by *Richardson

General Assembly, Statement of Intent or Position - Urges the Bureau of TennCare to address its generic drug rebate policies. -

HB 3931 by *Kernell (*SB 3803 by *Marrero B)

Welfare - As introduced, requires the department of human services to expend at least 2 percent of the Child Care and Development Funds block grant on activities to improve the quality of child care. - Amends TCA Section 71-3-502.

HB 3932 by *Carr (*SB 3539 by *Ketron)

Pharmacy, Pharmacists - As introduced, enacts the "Official Tennessee Prescription Program Act." - Amends TCA Title 53, Chapter 10 and Title 63, Chapter 10.

HB 3933 by *DeBerry J (*SB 3641 by *Norris)

Physicians and Surgeons - As introduced, authorizes the board of medical examiners to set standards for and recognize centers of excellence for medical simulation programs. - Amends TCA Title 63 and Title 68.

HB 3934 by *Turner J (*SB 2978 by *Tate)

Taxes - As introduced, enacts the "Food, Sales and Franchise Tax Cut and Job Creation Act of 2010." - Amends TCA Title 3; Title 4; Title 5; Title 6; Title 7; Title 8; Title 9; Title 12; Title 16; Title 30; Title 36; Title 39; Title 40; Title 45; Title 47; Title 48; Title 55; Title 56; Title 57; Title 61; Title 62; Title 67; Title 68; Title 69; Title 70 and Title 71.

HB 3935 by *Kernell (*SB 3151 by *Marrero B)

Boards and Commissions - As introduced, clarifies terms of West Tennessee Seismic Safety Commission. - Amends TCA Title 58, Chapter 9, Part 1.

HB 3936 by *McCord (*SB 3061 by *Woodson)

Wildlife Resources Commission - As introduced, revises commission membership and quorum provisions. - Amends TCA Title 70, Chapter 1, Part 2.

HB 3937 by *Maddox (*SB 3643 by *Finney L)

Cemeteries - As introduced, requires cemetery companies to provide map of specific interment site to consumer at time of contract. - Amends TCA Title 28; Title 39; Title 46; Title 47, Chapter 18 and Title 66.

HB 3938 by *Tindell (*SB 3270 by *Woodson)

General Assembly - As introduced, clarifies what a private act is for purposes of action required by the secretary of state; clarifies that a private act amends county or city charters, not the general law. - Amends TCA Title 8.

HB 3939 by *Tindell (*SB 3271 by *Woodson)

General Assembly - As introduced, removes language referring to the office of legislative services; changes office of management information systems to office of legislative information services. - Amends TCA Title 3.

HB 3940 by *Sargent (*SB 3806 by *Johnson, Ketron, Tate)

Insurance, Health, Accident - As introduced, enacts the "Tennessee Health Carrier Grievance and External Review Procedure Act." - Amends TCA Title 56.

HB 3941 by *Halford (SB 3920 by *Finney L)

Gibson County - As introduced, subject to local approval, establishes that the county clerk serves as clerk of juvenile court effective 12:01 a.m. September 1, 2010; abolishes office of clerk of juvenile court and provides if a vacancy in such office occurs prior to August 31, 2010, the county clerk is appointed to serve until term expires. - Amends Chapter 307 of the Private Acts of 1982.

HB 3942 by *Lundberg (*SB 3475 by *Jackson)

Animals and Animal Cruelty - As introduced, classifies a violation of certain prohibitions or restrictions placed upon a person convicted of animal cruelty by the sentencing court as a Class A misdemeanor. - Amends TCA Title 39, Chapter 14, Part 2 and Title 40.

HB 3943 by *Lundberg (*SB 3816 by *Johnson)

Insurance Companies, Agents, Brokers, Policies - As introduced, requires the commissioner of commerce and insurance to convene a working group of representatives from the insurance industry and the medical professions to study recent trends concerning various issues affecting the health insurance industry and the medical professions. - Amends TCA Title 7, Chapter 57; Title 56 and Title 68.

(House Bills cont.)

HB 3944 by *Turner M (*SB 3497 by *Beavers)

Courts - As introduced, requires the comptroller to conduct an annual survey of number of disputes that are resolved by victim-offender mediation centers and report the results to the judiciary committee of each chamber. - Amends TCA Title 8; Title 10; Title 16 and Title 17.

HB 3945 by *Turner M (*SB 3492 by *Beavers)

Secretary of State - As introduced, changes date on or about which secretary must publish compilation of data from agencies from November 15 to December 15; requires that the compilation be published on the secretary's web site. - Amends TCA Title 8; Title 10 and Title 16.

HB 3946 by *Turner M (*SB 3496 by *Beavers)

Courts - As introduced, reduces from 10 to eight the number of members who are appointed to serve on a special joint committee to make recommendations concerning removal of judges based on charges affirmed by the supreme court. - Amends TCA Title 17, Chapter 5.

HB 3947 by *Kernell (*SB 3804 by *Marrero B)

Day Care - As introduced, prohibits the department of human services from requiring child care providers to disclose personal information that is not related to the department's regulatory authority such as information regarding the provider's long range career plans. - Amends TCA Section 71-3-502.

HB 3948 by *Matheny (*SB 3162 by *Johnson, Southerland, Ketron, Crowe, Tate)

Workers Compensation - As introduced, enacts the Rental and Assignment of PPO Network Rights. - Amends TCA Title 50, Chapter 6, Part 2.

HB 3949 by *Brooks K (*SB 3645 by *Ketron)

Insurance Companies, Agents, Brokers, Policies - As introduced, requires the commissioner of commerce and insurance to convene a working group of representatives from the insurance industry and the medical professions to study recent trends concerning various issues affecting the health insurance industry and the medical professions. - Amends TCA Title 7, Chapter 57; Title 56 and Title 68.

HB 3950 by *Armstrong (*SB 2537 by *Overbey)

Mental Health and Developmental Disabilities, Dept. of - As introduced, urges the department to undertake an analysis to assist the legislature in determining the future direction of licensing and oversight of methadone maintenance programs and to share any findings, if so undertaken, with the governor and the health and human resources committee of the house and the general welfare, health and human resources committee of the senate. - Amends TCA Title 68, Chapter 11.

HB 3951 by *Kernell (*SB 3802 by *Marrero B)

Day Care - As introduced, revises and deletes certain provisions regarding age groups and ratios in child care agencies. - Amends TCA Section 71-3-502.

HB 3952 by *Weaver (*SB 3652 by *Beavers)

Corporations, For Profit - As introduced, increases the total limit of obligations of certain corporations from 10 times the amount of their paid-in capital and surplus to 15 times the amount of their paid-in capital and surplus. - Amends TCA Title 48, Chapter 101.

HB 3953 by *Harmon (SB 3922 by *Stewart)

Altamont - As introduced, subject to local approval, amends the charter to reset the month of the election of the mayor and aldermen from May to November; extends the term of the mayor and aldermen in the next election to meet the November 2012 election date. - Amends Chapter 664 of the Private Acts of 1917; as amended.

HB 3954 by *Stewart (*SB 3726 by *Haynes)

Remedies and Special Proceedings - As introduced, allows general sessions judge to postpone trial for forcible detainer cases longer than 15 days upon agreement of the parties. - Amends TCA Section 29-18-118.

HB 3955 by *Stewart (*SB 3725 by *Haynes)

Civil Procedure - As introduced, revises method of serving summons for forcible entry and detainer warrants; allows sheriff to post copy of warrant on premises after three failed attempts of personal service of process within six days instead of 10 days from required date of appearance. - Amends TCA Title 29, Chapter 18.

HB 3956 by *Stewart (*SB 3430 by *Henry)

Zoning - As introduced, allows multifamily residential property to destroy present facilities and reconstruct new facilities even after a change in zoning. - Amends TCA Title 13.

(House Bills cont.)

HB 3957 by *Maggart, Lynn, McDonald (SB 3923 by *Black)

Sumner County - As introduced, subject to local approval, establishes procedure for distribution of proceeds of the hotel/motel tax. - Amends Chapter 7 of the Private Acts of 1985.

HB 3958 by *Rowland (SB 3924 by *Ketron)

Murfreesboro - As introduced, subject to local approval, authorizes the city council to appoint one person to hold the office of city treasurer and the office of city recorder. - Amends Chapter 429 of the Private Acts of 1931; as amended.

HB 3959 by *Bell (*SB 3737 by *Bunch)

Education, Higher - As introduced, authorizes extending in-state tuition to wrestlers from Alabama, Georgia, Kentucky, and Florida to attend the Tennessee higher education institutions with Division 1 wrestling programs. - Amends TCA Title 49.

HB 3960 by *Favors (*SB 3283 by *Burchett)

Railroads - As introduced, provides for depreciation of repairs and for railway improvements when proceeds from sale of short-line railroads are deposited in transportation equity fund. - Amends TCA Section 9-4-207 and Title 67.

HB 3961 by *Pitts (*SB 3356 by *Kyle)

Lottery, Scholarships and Programs - As introduced, creates a supplemental bridge scholarship program for the 2010-2011 academic year for Tennessee HOPE scholarship students; funds bridge grant program using unobligated and unexpended funds from the energy efficient schools initiative. - Amends TCA Title 4, Chapter 51; Title 49, Chapter 17 and Title 49, Chapter 4, Part 9.

HB 3962 by *Pitts (*SB 3343 by *Kyle)

Education - As introduced, deletes the energy efficient schools initiative and transfers remaining amounts in the energy efficient schools council fund to the lottery for education account. - Amends TCA Title 4, Chapter 51, Part 1 and Title 49.

HB 3963 by *Odom (*SB 3915 by *Marrero B)

Pensions and Retirement Benefits - As introduced, authorizes a state employee, teacher, or state university and college system or University of Tennessee employee member to, upon retirement and in lieu of using sick leave as a creditable service under present law, use accumulated sick leave in the same manner as annual or compensatory leave in order to reach the employee's retirement date or have such sick leave be paid to the employee as a lump sum payment. - Amends TCA Title 8.

HB 3964 by *Ferguson (*SB 3627 by *McNally)

Judicial Districts - As introduced, clarifies that any drug testing fee or other fee that was assessed and collected in the ninth judicial district before such fees were repealed in 2007 to be designated for use by the ninth judicial district drug task force. - Amends TCA Title 39, Chapter 17, Part 4.

HB 3965 by *Litz (SB 3921 by *Southerland)

Morristown - As introduced, subject to local approval, increases the hotel/motel tax from 5 percent to 7 percent. - Amends Chapter 354 of the Private Acts of 1982.

HB 3966 by *Weaver (SB 3925 by *Finney L)

School Districts, Special - As introduced, restores optimal staggering of the terms of the board of education of the Milan Special School District so that four members are elected in one year and three members are elected in another. - Amends Chapter 504 of the Private Acts of 1945; as amended.

HB 3967 by *Weaver (SB 3926 by *Finney L)

School Districts, Special - As introduced, increases the tax rate for the Trenton Special School District from \$2.16 to \$2.30. - Amends Chapter 144 of the Private Acts of 1975; as amended.

SECOND CONSIDERATION

HB's 3923 – 3948 were passed on second consideration.

1/25/10

AGRICULTURE – HB 2497.

FINANCE, WAYS & MEANS – HB 2475.

(Second Considerations cont.)

1/27/10

AGRICULTURE – HB 2819.

CHILDREN & FAMILY AFFAIRS – HB 2627.

CONSUMER & EMPLOYEE AFFAIRS – HB 2774.

1/28/10

CAPTION, HELD ON DESK – HB's 2911, 3025.

CONSUMER & EMPLOYEE AFFAIRS – HB 3018.

STATE & LOCAL GOVERNMENT – HB 2871.

2/1/10

CAPTION, HELD ON DESK – HB's 3171, 3179, 3259, 3274.

CHILDREN & FAMILY AFFAIRS – HB 3115.

STATE & LOCAL GOVERNMENT – HB 3152.

2/3/10

CAPTION, HELD ON DESK – HB's 3287, 3588.

COMMERCE – HB 3593.

CONSERVATION & ENVIRONMENT – HB 3466.

CONSUMER & EMPLOYEE AFFAIRS – HB 3488.

FINANCE, WAYS & MEANS – HB's 3351, 3437.

JUDICIARY – HB's 3369, 3649, 3659.

STATE & LOCAL GOVERNMENT – HB 3695.

2/8/10

CHILDREN & FAMILY AFFAIRS – HB 3850.

EDUCATION – HB 3797.

STATE & LOCAL GOVERNMENT – HB 3763.

2/11/10

FINANCE, WAYS & MEANS – HB 3922.

STATE & LOCAL GOVERNMENT – HB 3896.

2/17/10

CHILDREN & FAMILY AFFAIRS – HB 3021.

CONSUMER & EMPLOYEE AFFAIRS – HB 2118.

FINANCE, WAYS & MEANS – HB's 3091, 3259.

GOVERNMENT OPERATIONS – HB 2446.

STATE & LOCAL GOVERNMENT – HB 2483.

TRANSPORTATION – HB 150.

2/18/10

HELD ON DESK – HB 3941.

CAPTION, HELD ON DESK - HB's 3933, 3945.

AGRICULTURE – HB 3942.

COMMERCE – HB 3937.

CONSUMER & EMPLOYEE AFFAIRS – HB 3948.

FINANCE, WAYS & MEANS - HB's 3925, 3926, 3927, 3928.

GOVERNMENT OPERATIONS - HB's 3923, 3940, 3934, 3932, 3935.

HEALTH & HUMAN RESOURCES - HB's 3929, 3931, 3947.

JUDICIARY - HB's 3944, 3946.

STATE & LOCAL GOVERNMENT - HB's 3938, 3939.

TRANSPORTATION - HB's 3924, 3930.

THIRD CONSIDERATION

Consent Calendar:

HB's 2487, 2415 – PASSED 96-0-1.
HR 225 – RE-SET to 2/22/10.
HB 2570 – s/c SB 2417.
HR's 235, 236, 238, 239 – RE-SET to 2/22/10.
HB 2741 – PASSED 96-0-1.
HR's 243, 244, 245 – ADOPTED 96-0-1.
HJR's 822, 824, 825 – ADOPTED 96-0-1.
SJR 762 – CONCURRED 96-0-1.

Consent Calendar #2:

HR's 246, 247, 248, 249 – ADOPTED 96-1.
HJR's 826, 827, 828, 829 – ADOPTED 96-1.
HJR 830 – WITHDRAWN.
HJR's 831, 835, 836, 837, 838 – ADOPTED 96-1.
SJR's 766, 769, 770, 771, 772, 773, 774 – CONCURRED 96-1.
SJR's 775, 776, 777, 779 – CONCURRED 96-1.
SJR 780 – RE-SET to 2/22/10.
SJR 781 – CONCURRED 96-1.
SJR 782 – RE-SET to 2/22/10.

Regular Calendar:

HB 381 – Amd. #1 ad. – PASSED AS AMENDED 97-0.
HB 2571 – PASSED 77-18-2.
HB 699 – Amd. #1 ad. – PASSED AS AMENDED 96-0.
HB 2669 – Amd. #1 ad. – PASSED AS AMENDED 91-4-1.
HJR 803 – ADOPTED 95-0-1.
HR 229 – ADOPTED 97-0.

Message Calendar:

HB 1360 – S Amds. #2, 3 CONCURRED 95-1-1.
HB 2069 – S Amd. #1 CONCURRED 96-1.

OTHER ACTION

HB's 624, 760, 830, 2564, 2841 – WITHDRAWN.

COMMITTEE REPORTS

CALENDAR & RULES – HHR #16 – 8:00 a.m. -
Reg. Cal. 2/22 – HB's 539, 3265, 2758, 2806, 2778, 2500, 2657, 770, 2709, 2711.
Con. Cal. 2/22 – HB's 2650, 2576, 2710.

COMMITTEE CALENDARS FOR TUESDAY, FEBRUARY 23, 2010

AGRICULTURE – HHR #29 – 9:15 a.m. –

NO BILLS ON NOTICE – committee will meet. Presentation: Julie Walker, Dairy Advocate from Washington County.

CHILDREN & FAMILY AFFAIRS – HHR #31 – 12:00 noon –

HB's 677, 5.

COMMERCE – HHR #16 – 9:15 a.m. –

NO BILLS ON NOTICE – committee will NOT meet.

CONSERVATION & ENVIRONMENT – HHR #29 – 2:00 p.m. –

HB's 3195, 3829.
 FINANCE, WAYS & MEANS – HHR #16 – 2:00 p.m. –
 HB's 2524, 3023, SJR 30. Review of expansion requests. Budget Hearings: Tuesday: Comptroller, Secy of State, Treasury; Wednesday: TBI, F&A Cover TN, Safety; Thursday: Commerce & Insurance, TRA.
 HEALTH & HUMAN RESOURCE – HHR #16 – 10:30 a.m. –
 HB's 1871, 2581, 2823, 2903, 3202, 3813.
 JUDICIARY – HHR #31 – 3:30 p.m. –
 HB's 791, 2506, 1363, 2625, 2851, 2847, 2767, 3047, 2768, 3031, 3222, 2752, 2687, 3645, 3644, 3203, 2835, 3269, 3270, 3271, 3272, 3862, 3863.
 STATE & LOCAL GOVERNMENT – HHR #16 – 12:00 noon –
 HB's 3056, 2748, 2349, 2491, 2509, 2510, HJR 733, HB's 2799, 2870, 3006, 3007, 3075, 3185, 3354, 3355, 3608, 3609, 3610, HJR's 787, 788, HB's 3069, 3147, 3070, 3176, 270, 1357.
 TRANSPORTATION – HHR #16 – 3:30 p.m. –
 HB's 2432, 2433, 2667, 2704, 2740, 2743, 2830, 2912, 2924, 3255, 3303, 3365, 3366, 3394, 3444, 3477, 3581, 3620, 3876, 3131, 3331, 2633, 2550, 3024, 2486, 2896, 3409..

COMMITTEE CALENDARS FOR WEDNESDAY, FEBRUARY 24, 2010

CONSUMER & EMPLOYEE AFFAIRS – HHR #29 – 8:30 a.m. –
 HB 2551.
 EDUCATION – HHR #16 – 11:00 a.m. –
 HB's 549, 2996, 379, 2754, 3530, 3590, HJR 767. Presentation: Comptroller – Community College Systems; Report from Ruth Woodall, TN Scholars.
 GOVERNMENT OPERATIONS – HHR #29 – 10:00 a.m. – **NOTE: Gov Ops will meet first on Tuesday at 8:30**
 HB's 3904, 3567, 3079, 3210, 3457, 3804, 3847, 2910, 3096, 3167, 3169, 3429, 3286, 2791, 3439, 3809, 2707, 2895, 3791, 2467, 2595, 2856, 2857, 2861, 2858, 2862, 3291, 2473, 2589, 2590, 2621, 2596, 2620, 2599, 2601, 2598, 2604, 2618, 2608, 2606, 2471, 2602, 2469, 2612, 2610.

SUBCOMMITTEE CALENDARS FOR TUESDAY, FEBRUARY 23, 2010

General – HHR #29 – Immediately following Agriculture –
 HB 3315.
 Domestic Relations – HHR #30 – 3:30 p.m. –
 HB's 20, 1131, 3454, 2700.
 Elections – HHR #16 – Immediately following State & Local –
 HB's 3019, 3234.
 Environment – HHR #29 – 10:30 a.m. –
 HB's 2579, 2837, 2991.
 Family Justice – HHR #31 – 1:30 p.m. –
 HB's 2916, 3194, 3720, 2658.
 Professional Occupation – HHR #31 – Immediately following H&HR. –
 HB's 2585, 2634, 2679, 3368, 3833.
 Public Safety – HHR #16 – Immediately following Transportation –
 HB's 262, 3026, 920, 2797, HJR 813.
 State Government – HHR #30 – 2:00 p.m. –
 HB's 2481, 3352, 3389, 3638, 3640, 3364, 3356, SJR 711, HJR's 763, 817, HB's 3618, 3152.
 Utilities & Banking – HHR #30 – 10:30 a.m. –
 HB's 2970, 3773, 3395, HJR 748.
 Wildlife – HHR #29 – 12:00 noon –
 NO BILLS ON NOTICE – committee will NOT meet.

SUBCOMMITTEE CALENDARS FOR WEDNESDAY, FEBRUARY 24, 2010

Budget – HHR #29 – 11:00 a.m. –
 HB's 3473, 2825, 3033, 13, 2804, HJR 754, HB's 2507, 3660, 242, 3309, HJR 746, HB's 3550, 3500, 2868, 2866, 2918, 2696, 2549, 3170, 3044, 3280, 2715, 2753.

(Subcommittee Calendars cont.)

Civil Practice & Procedure – HHR #31 – 12:30 p.m. –

HB's 682, 3078, 3338, 3631, 3462, 3793, 2760, 3348, 2848, 3300, 2670, 3083, 3652, 3659, 3586, 3539.

Consumer Affairs – HHR #30 – Immediately following C&EA – **NOTE Day change**

HB's 1612, 2118.

Criminal Practice & Procedure – HHR #31 – 11:00 a.m. –

HB's 1827, 2560, 2640, 2690, 3281, 3691, 3279, 3561, 2059, 2765, 2796, 2962, 2917, 2567, 3040, 32, HR 83,

HB's 672, 673, 2769, 3741, 3053.

Employee Affairs – HHR #29 – 12:30 p.m. –

HB's 2685, 2787, 3889, 3789, 3525.

Health Care Facilities – HHR #30 – 12:30 p.m. –

HB's 1883, 2520, 2790, 3156.

Higher Education – HHR #16 – 9:15 a.m. –

HB's 2897, 3068, 58, 43, 3074.

Industrial Impact – HHR #30 – 10:00 a.m. –

HB's 396, 3641, 3158, 2904, 2686, 2534, 3759, 3830, 1242, 2105.

K-12 – HHR #16 -10: a.m. –

HB's 3867, 3711, 3415, 3737, 3875, HJR 781, HB's 2937, 3105, 3118, 3133, 3148, 3168, 3411, 3484, 3794, 3820, HR 59, HB's 2645, 2954, 3332, 3416, 3517, 3733, 3870.

Local Government – HHR #31 – 8:30 a.m. –

HB's 2712, 187, 3695, 3344, 3034, 3390, 2580, 3732, 3890, 2744, 3341, 2401, 3204, 2865, 2822, 2842, 3190, 3192, 3243, 2834, 3453, 3469, 3635, 3639, 3779.

Parks & Tourism – HHR #16 – 12:30 p.m. –

HB 3106, SJR 705.

Public Health & Family Assistance – HHR #30 – 1;30 p.m. –

HB's 3301, 3139, 3719, 3173, 3552, 2504.

Rural Roads – HHR #30 – 8:30 a.m. –

NO BILLS ON NOTICE – committee will NOT meet.

Small Business – HHR #30 – 9:15 a.m. –

HB's 3320, 3478, 3831, 3849, 34.

MESSAGE FROM THE GOVERNOR

HJR's 774, 775, 778, 779, 780, 783, 784 – SIGNED 2/11/10.

HJR's 281, 790, 791, 792, 797, 799, 800, 801, 802 – SIGNED 2/17/10.

HOUSE CONVENES AT 5:00 P.M., MONDAY, FEBRUARY 22, 2010